

UNITED STATES DISTRICT COURT

for the

District of Puerto Rico

United States of America

v.

IRWING JOSE VARGAS-MOLINA

Case No: 00-845 (01)(SEC)

USM No: 20652-069

Date of Original Judgment: 12/12/2001

Date of Previous Amended Judgment: 11/14/2002

(Use Date of Last Amended Judgment if Any)

Hector L. Ramos-Vega

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 235 months is reduced to 188 months.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment dated 11/14/2002 shall remain in effect.

IT IS SO ORDERED.

Order Date: 10/02/2012

S/ Salvador E. Casellas

Judge's signature

Effective Date: 10/02/2012

(if different from order date)

SALVADOR E. CASELLAS, U.S. DISTRICT JUDGE

Printed name and title

This page contains information that should not be filed in court unless under seal.
(Not for Public Disclosure)

IRWING JOSE VARGAS-MOLINA

DEFENDANT: _____

CASE NUMBER: 00-845 (01)(SEC)

DISTRICT: District of Puerto Rico

I. COURT DETERMINATION OF GUIDELINE RANGE (*Prior to Any Departures*)

Previous Total Offense Level:	<u>36</u>	Amended Total Offense Level:	<u>34</u>
Criminal History Category:	<u>III</u>	Criminal History Category:	<u>II</u>
Previous Guideline Range:	<u>235</u> to <u>293</u> months	Amended Guideline Range:	<u>188</u> to <u>235</u> months

II. SENTENCE RELATIVE TO THE AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a substantial assistance departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ The reduced sentence is above the amended guideline range.

III. ADDITIONAL COMMENTS

Complete sentence:

Imprisonment for a term of 188 months as to count 1, 180 months as to count 2 and 120 months as to count 3, said terms to be served CONCURRENTLY with each other and followed by a supervised release term of 5 years as to count 1, and 3 years as to counts 2 and 3 to be served concurrently with each other.